



## Borough of Douglas

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Town Hall,

Douglas,

9<sup>th</sup> August, 2017

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 9<sup>th</sup> day of AUGUST, 2017, in the COUNCIL CHAMBER, within the TOWN HALL, at which Meeting the following Members were present, that is to say: -

The Mayor

**MISS DEBRA ANNE MARIE PITTS, JP**

Councillors

Miss N.A. Byron

Mrs H. Callow

Mr S.R. Pitts

Mrs R. Chatel

Mr I.J.G. Clague, MBE

Mr J. Joughin

Mr D.W. Christian, MBE, JP

Ms C.E. Malarkey

Mr C.L.H. Cain

Mr F. Horning

Mr R.H. McNicholl

Mr J.E. Skinner, JP

Mrs E.C. Quirk

Ms J. Thommeny

Apologies for absence were submitted by Councillor Mrs C.L. Wells, Mr Councillor F. Pabellan and Councillor Ms K. Angela.

The Town Clerk and Chief Executive, Director of Finance, Director of Environment and Regeneration, and the Director of Housing and Property were in attendance.

The Council adjourned at 2.35pm and resumed at 2.45pm to evacuate the building for a fire alarm.

1. **Minutes – 12<sup>th</sup> July, 2017**

The minutes of the monthly Council Meeting held on Wednesday, 12<sup>th</sup> July, 2017, were approved and signed.

2. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

1) Mr Councillor J.E. Skinner asked the Chair of the Regeneration and Community Committee:

What Section of the Road Traffic Act requires the Main Car Park in Nobles Park to be designated as a public highway?

Reply by the Chair of the Regeneration and Community Committee;

Following the judgement of High Bailiff Moyle in Attorney-General –v- David Roderick Lynn in 2010, (“the Lynn Judgement”), his Worship concluded that the Roadways, although in the private ownership of Douglas Borough Council, were roads within the meaning of Section 72 of the Road Traffic Act 1985.

The management of traffic through the park is currently being assessed in preparation for the production of a Noble’s Park Traffic Management Plan. This assessment is looking at the current highway designation and how it can best be managed in the future. The plan will provide a number of recommendations for consideration through a report to Regeneration and Community Committee regarding how the Council manage and control traffic in the park in the future. It is intended the report will go to Committee in October 2017.

2) Mr Councillor J.E. Skinner asked the Leader of the Council:

With reference to the Equality Act 2017 what steps are being taken to carry out an audit of Council owned public buildings and outdoor space to ensure compliance and accessibility?

Reply by the Leader of the Council:

The Equality Act 2017, which received Royal Assent on 18<sup>th</sup> July 2017, deals with discrimination comprehensively in respect of both employment and the provision of goods and services on various grounds including race; religion; sexual orientation; age; disability; and gender reassignment.

The implementation dates for many of the main equality provisions in the Act will be made later in 2017, with all of the provisions being in place by January 2020. In respect of provision for those with disabilities under the Act, employers and service providers have to make ‘reasonable adjustments to buildings where practicable’.

The provisions of the Disability Discrimination Act 2006, which is also being introduced in phases, are also relevant in this respect and an audit of Council-owned public buildings is being commissioned through a qualified and experienced external auditor. Further research is being undertaken in respect of the requirements for outdoor space in respect of both Acts.

3. **Executive Committee – 28<sup>th</sup> July, 2017 – Clauses A1 to A14**

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, “That the minutes of proceedings of the Executive Committee, as contained in Clauses A1 to A14 of report of meeting held on Friday, 28<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and there voted **For** the Motion, Councillors: Mrs H. Callow, Mr S.R. Pitts, Mrs R. Chatel, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E. Malarkey, Mr C.L.H. Cain, Mr F. Horning, Mr J.E. Skinner, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor – **13**

**Against**, Councillors: Miss N.A. Byron, Mr R.H. McNicholl – **2**

Motion carried.

4. **Executive Committee – 28<sup>th</sup> July, 2017 – Clause C15**

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, “That the minutes of proceedings of the Executive Committee, as contained in Clause C15 of report of meeting held on Friday, 28<sup>th</sup> July, 2017, be received, approved and adopted by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

5. **Eastern District Civic Amenity Site Joint Committee – 27<sup>th</sup> July, 2017**

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor F. Horning, “That the minutes of proceedings of the Eastern District Civic Amenity Site Joint Committee, as contained in report of meeting held on Thursday, 27<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

6. **Housing Committee – 19<sup>th</sup> July, 2017 – Clauses A1 to A8**

Motion moved by Mr Councillor J.E. Skinner, seconded by Councillor Mrs E.C. Quirk, “That the minutes of proceedings of the Housing Committee, as contained in Clauses A1 to A8 of report of meeting held on Wednesday, 19<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

7. **Housing Committee – 19<sup>th</sup> July, 2017 – Clause C9**

Motion moved by Mr Councillor J.E. Skinner, seconded by Councillor Mrs E.C. Quirk, “That the minutes of proceedings of the Housing Committee, as contained in Clause C9 of report of meeting held on Wednesday, 19<sup>th</sup> July, 2017, be received, approved and adopted by the Council.”

Question put on Motion; a vote was taken electronically, and there voted **For** the Motion, Councillors: Miss N.A. Byron, Mrs H. Callow, Mr S.R. Pitts, Mrs R. Chatel, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Mr C.L.H. Cain, Mr F. Horning, Mr J.E. Skinner, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor – **13**

**Against**, Councillors: Ms C.E. Malarkey, Mr R.H. McNicholl – **2**

Motion carried.

8. **Housing Committee – 19<sup>th</sup> July, 2017 – Clause C10**

Motion moved by Mr Councillor J.E. Skinner, seconded by Councillor Mrs E.C. Quirk, “That the minutes of proceedings of the Housing Committee, as contained in Clause C10 of report of meeting held on Wednesday, 19<sup>th</sup> July, 2017, be received, approved and adopted by the Council.”

Question put on Motion; a vote was taken electronically, and there voted **For** the Motion, Councillors: Miss N.A. Byron, Mrs H. Callow, Mr S.R. Pitts, Mrs R. Chatel, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E. Malarkey, Mr C.L.H. Cain, Mr R.H. McNicholl, Mr J.E. Skinner, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor – **14**

**Against**: Mr Councillor F. Horning – **1**

Motion carried.

9. **Regeneration and Community Committee – 18<sup>th</sup> July, 2017**

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Ms J. Thommeny, “That the minutes of proceedings of the Regeneration and Community Committee, as contained in report of meeting held on Tuesday, 18<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

10. **Environmental Services Committee – 17<sup>th</sup> July, 2017 – Clauses A1 to A12**

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor J. Joughin, “That the minutes of proceedings of the Environmental Services Committee, as contained in Clauses A1 to A12 of report of meeting held on Monday, 17<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

11. **Attendance**

Mr Councillor J.E. Skinner submitted apologies for the remainder of the meeting and left at 5.00pm.

12. **Environmental Services Committee – 17<sup>th</sup> July, 2017 – Clause C13**

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor J. Joughin, “That the minutes of proceedings of the Environmental Services Committee, as contained in Clause C13 of report of meeting held on Monday, 17<sup>th</sup> July, 2017, be received, approved and adopted by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

13. **Adjournment and Resumption**

The meeting adjourned at 5.05pm and resumed at 5.20pm with the same Members and officers present.

**IN PRIVATE**

**14. Executive Committee – 28<sup>th</sup> July, 2017**

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, “That the minutes of proceedings of the Executive Committee, as contained in private report of meeting held on Friday, 28<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

*Under the provisions of the Local government Act 1985, Mr Councillor J. Joughin declared an interest in the item and retired whilst it was considered.*

**15. Environmental Services Committee – 17<sup>th</sup> July, 2017**

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor J. Joughin, “That the minutes of proceedings of the Environmental Services Committee, as contained in private report of meeting held on Monday, 17<sup>th</sup> July, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and there voted **For** the Motion, Councillors: Miss N.A. Byron, Mrs H. Callow, Mr S.R. Pitts, Mrs R. Chatel, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E. Malarkey, Mr F. Horning, Mr R.H. McNicholl, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor – **13**

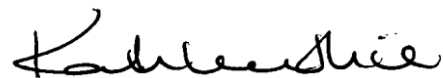
**Against:** Mr Councillor C.L.H. Cain – **1**

Mr Councillor C.L.H. Cain indicated that he had voted against the minutes in error.

Motion carried.

*Under the provisions of the Local government Act 1985, the Director of Environment and Regeneration declared an interest in the item and retired whilst it was considered.*

The Council rose at 5.55pm.



Town Clerk & Chief Executive